

City of Chicago
Department of Planning
and Development
Bureau of Zoning

City Hall – Room 905
121 N. LaSalle Street
Chicago, IL 60602



Zoning Amendment
Application & Information Packet

Lori Lightfoot
Mayor

Patrick Murphey
Zoning Administrator

Zoning Amendment Application Instructions

1. The Zoning Amendment application must be filled-out in quadruplicate (5th application needed when seeking a zoning amendment to a planned development) with original signatures and seals on all four (or five) copies. Applications and supporting documents must be signed by the applicant, not the attorney of record.
2. A certified plat of survey must be filed with each application (two such plats must measure 8.5" x 11" and one must measure 11" x 17"). The survey must be no older than six months at the time of application. The application and all supporting documents are to be filed with the Department of Planning and Development Bureau of Zoning and Land Use in room 905, City Hall, and must be submitted **no later than 12:00 noon 9 working days preceding the City Council meeting at which the applicant is seeking introduction**. The date of the next city Council meeting may be obtained online at www.chicityclerk.com.
3. The applicant for a zoning change must be the owner of the property to be rezoned or the applicant must provide a written authorization from the owner of the property.
4. Pursuant to Chapter 2-154 of the Municipal Code of Chicago, an Economic Disclosure Statement and Affidavit are required to be filed. If the applicant is not the owner of the property, a disclosure statement must be filed for both the applicant and the owner. An incomplete disclosure statement will cause the application to be returned.
5. There is a non-refundable fee of \$1,000.00 for a zoning change; the fee for a Planned Development is \$1,500.00; both are to be paid to the City of Chicago Department of Revenue. There is also a fee of \$25.00 for a sign furnished by the office of the Zoning Administrator to be posted by the applicant on the subject property. An additional fee of \$25.00 must be paid for each additional sign if the subject property abuts more than one public street. Please refer to the fee schedule in Section 17-13-0103 of the Chicago Zoning Ordinance for further details.
6. The Zoning Amendment Application includes an Ordinance Page which must be prepared by the applicant/owner, or the representing attorney, to include the zoning district and the grid map found on the zoning map available online at <https://gisapps.cityofchicago.org/ZoningMapWeb/>. The ordinance must also contain a complete description of the boundary lines starting at the north line of the said property, or planned development, to be rezoned.
7. Each applicant is required to send written notice to all property owners of all properties within 250' in each direction of the lot lines of the subject property, not more than 30 days before filing a Zoning Amendment Application. The notice is to be sent by First Class mail of the US Postal Service. See Section 17-13-0107 of the Chicago Zoning Ordinance for further details. A copy of the typed list (in label form on paper) of the names, addresses and PIN numbers of the property owners notified must be provided with each application.
8. Provide specific information with respect to the proposed development after rezoning. The 2004 Chicago Zoning Ordinance establishes specific submittal requirements for "TYPE 1" rezonings, as explained in Attachment A and in Section 17-13-0303-C of the Chicago Zoning Ordinance. Two copies of all plans must be submitted with each application: one set measuring 8.5" x 11" and one set measuring 11" x 17".
9. Provide specific information about any proposed development and rezoning within a designated industrial corridor. To determine whether your property is within an industrial corridor refer to "Corridors of Industrial Opportunity: A Plan for Industry in Chicago" adopted by the Chicago Plan Commission in November 2004. Also, you may search online at the City of Chicago website to view the online interactive Zoning Map for the Industrial Corridors.
10. Incomplete applications will be returned to the applicant.

ATTACHMENT A

SUPPLEMENTAL SUBMISSIONS TYPE 1 REZONINGS

Effective November 1, 2004, certain zoning map amendments will have to be accompanied with additional information describing the proposed projects. These rezonings are called "Type 1" rezonings.

What are "Type 1" rezonings?

"Type 1" rezonings include:

- 1) Any rezoning that allows a floor area ratio that is 2 or more times higher than the properties existing zoning.
- 2) Any rezoning from a zoning district that does not impose a height limitation to a zoning district that does have a height limitation.
- 3) Any rezoning from a zoning district that does not permit residential or household living uses to a zoning district that does allow residential or household living uses.

What additional submittals are required?

All the application requirements for a rezoning apply to a "Type 1" rezoning. In addition "Type 1" rezonings must be accompanied with a project description that includes the following information:

- a) proposed land use
- b) the project's floor area ratio
- c) the project's density (lot area per dwelling)
- d) the amount of off-street parking
- e) setbacks
- f) building heights

In addition to the project narrative, a "Type 1" rezoning should be accompanied by a site plan, drawings or illustration showing:

- a) building location, orientation and setbacks
- b) building bulk and scale in relation to nearby buildings
- c) the location of curb cuts, sidewalks, and parking and loading
- d) landscaping and on-site open space
- e) location of dumpsters or trash enclosures

ATTACHMENT B

Supplemental Procedures for Rezoning of Designated Industrial Corridors

The 2004 Chicago Zoning Ordinance requires that zoning map amendments within designated industrial corridors from an M district classification to another (non-M) zoning district classification must be processed consistent with Section 17-13-0300 and, and in addition, such applications are subject to hearings before the Chicago Plan Commission consistent with Section 17-13-0402.

The Chicago Plan Commission must hold a hearing on such rezonings within industrial corridors and make a recommendation to the City Council Committee on Zoning.

The factors the Plan Commission is to review in considering rezoning requests in designated industrial corridors are identified in Section 17-13-0403. In general, the Plan Commission must consider whether the proposed rezoning "would adversely affect the continued industrial viability of the industrial corridor."

CONTENTS OF APPLICATION PACKET

1. Application Form (three pages)
2. Ordinance Form
3. Sample Form of letters to be sent to surrounding property owners
4. Sample Form of Affidavit to be filed with the City Council Committee on Zoning
5. Affidavit of Posting
6. Economic Disclosure Statement and Affidavit
7. Section 17-13-0300 of the Chicago Zoning Ordinance
8. Section 17-13-0107A of the Chicago Zoning Ordinance
9. Affordable Housing Ordinance
10. ARO Fact Sheet

CITY OF CHICAGO

APPLICATION FOR AN AMENDMENT TO
THE CHICAGO ZONING ORDINANCE

1. ADDRESS of the property Applicant is seeking to rezone:

2. Ward Number that property is located in: _____

3. APPLICANT _____

ADDRESS _____ CITY _____

STATE _____ ZIP CODE _____ PHONE _____

EMAIL _____ CONTACT PERSON _____

4. Is the applicant the owner of the property? YES _____ NO _____
If the applicant is not the owner of the property, please provide the following information
regarding the owner and attach written authorization from the owner allowing the application to
proceed.

OWNER _____

ADDRESS _____ CITY _____

STATE _____ ZIP CODE _____ PHONE _____

EMAIL _____ CONTACT PERSON _____

5. If the Applicant/Owner of the property has obtained a lawyer as their representative for the
rezoning, please provide the following information:

ATTORNEY _____

ADDRESS _____

CITY _____ STATE _____ ZIP CODE _____

PHONE _____ FAX _____ EMAIL _____

6. If the applicant is a legal entity (Corporation, LLC, Partnership, etc.) please provide the names of all owners as disclosed on the Economic Disclosure Statements.

7. On what date did the owner acquire legal title to the subject property? _____

8. Has the present owner previously rezoned this property? If yes, when?

9. Present Zoning District _____ Proposed Zoning District _____

10. Lot size in square feet (or dimensions) _____

11. Current Use of the property _____

12. Reason for rezoning the property _____

13. Describe the proposed use of the property after the rezoning. Indicate the number of dwelling units; number of parking spaces; approximate square footage of any commercial space; and height of the proposed building. (BE SPECIFIC)

14. The Affordable Requirements Ordinance (ARO) requires on-site affordable housing units and/or a financial contribution for residential housing projects with ten or more units that receive a zoning change which, among other triggers, increases the allowable floor area, or, for existing Planned Developments, increases the number of units (see attached fact sheet or visit www.cityofchicago.org/ARO for more information). Is this project subject to the ARO?

YES _____ NO _____

COUNTY OF COOK
STATE OF ILLINOIS

_____, being first duly sworn on oath, states that all of the above statements and the statements contained in the documents submitted herewith are true and correct.

Signature of Applicant

Subscribed and Sworn to before me this
_____ day of _____, 20_____.

Notary Public

For Office Use Only

Date of Introduction: _____

File Number: _____

Ward: _____

ORDINANCE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:

SECTION 1. Title 17 of the Municipal Code of Chicago, the Chicago Zoning Ordinance, is hereby amended by changing all of the {FIELD} District symbols and indications as shown on Map No. {FIELD} in the area bounded by

{FIELD}

to those of a {FIELD} District.

SECTION 2. This ordinance shall be in force and effect from and after its passage and due publication.

Common Address of Property: {FIELD}

"WRITTEN NOTICE"
FORM OF AFFIDAVIT
(Section 17-13-0107)

Date

Honorable Thomas M. Tunney
Chairman, Committee on Zoning
121 North LaSalle Street
Room 304, City Hall
Chicago, Illinois 60602

The undersigned, _____, being first duly sworn on oath deposes and states the following:

The undersigned certifies that he has complied with the requirements of Section 17-13-0107 of the Chicago Zoning Ordinance, by sending written notice to such property owners who appear to be the owners of the property within the subject area not solely owned by the applicant, and to the owners of all property within 250 feet in each direction of the lot line of the subject property, exclusive of public roads, streets, alleys and other public ways, or a total distance limited to 400 feet. Said "written notice" was sent by First Class U.S. Mail, no more than 30 days before filing the application.

The undersigned certifies that the notice contained the address of the property sought to be rezoned; a statement of the intended use of the property; the name and address of the applicant; the name and address of the owner; and a statement that the applicant intends to file the application for a change in zoning on approximately {INSERT DATE}.

The undersigned certifies that the applicant has made a bona fide effort to determine the addresses of the parties to be notified under Section 17-13-0107 of the Chicago Zoning Ordinance, and that the accompanying list of names and addresses of surrounding property owners within 250 feet of the subject site is a complete list containing the names and addresses of the people required to be served.

Signature

Subscribed and Sworn to before me this
_____ day of _____, 20_____.

Notary Public

SAMPLE FORM OF LETTER TO SURROUNDING PROPERTY OWNERS

{DATE}

Dear Property Owner:

In accordance with the requirements for an Amendment to the Chicago Zoning Ordinance, specifically Section 17-13-0107, please be informed that on or about {INSERT DATE OF FILING}, the undersigned will file an application for a change in zoning from {CURRENT ZONING DISTRICT} to {PROPOSED ZONING DISTRICT} on behalf of {IDENTIFY APPLICANT} for the property located at {IDENTIFY ADDRESS OF PROPERTY TO BE REZONED}.

The applicant intends to use the subject property for {BE SPECIFIC ABOUT WHAT THE REZONING IS FOR. FOR EXAMPLE, IF RESIDENTIAL, INDICATE THE NUMBER OF DWELLING UNITS AND SIZE OF THE BUILDING}.

{APPLICANT} is located at {ADDRESS OF APPLICANT}. The contact person for this application is {INDICATE NAME, ADDRESS, AND PHONE NUMBER}. NOTE: IF THE APPLICANT IS NOT THE OWNER OF THE PROPERTY, PLEASE IDENTIFY THE OWNER AS WELL.

Please note that the applicant is not seeking to rezone or purchase your property. The applicant is required by law to send this notice because you own property within 250 feet of the property to be rezoned.

Very truly yours,

Signature

AFFIDAVIT OF POSTING

Affidavit of Compliance [17-13-0107-C(6)]

I hereby certify that _____ posted a Public Notice sign on the property commonly known as _____ with an application number of _____. This sign was furnished by the City of Chicago pursuant to Section 17-13-0107-C(2) of the 2004 Chicago Zoning Ordinance, in connection with a Zoning Amendment application filed on _____.

The sign was installed with five (5) days of filing the application, in such a way as to be plainly visible from each roadway or right-of-way abutting the property. Section 17-13-0107-C(1-3).

Attached hereto is a picture of said sign, posted on the subject property. Section 17-13-0107-C(6).

I understand that pursuant to Section 17-13-0107-C(6)(b), no hearing will be scheduled or conducted until I comply with the above regulations.

Signature

Print Name

Subscribed to before me this _____, at Cook County, Illinois.

Notary Public

**INSTRUCTIONS FOR COMPLETING
CITY OF CHICAGO
ECONOMIC DISCLOSURE STATEMENT
AND AFFIDAVIT**

The City of Chicago (the "City") requires disclosure of the information requested in this Economic Disclosure Statement and Affidavit ("EDS") before any City agency, department or City Council action regarding the matter that is the subject of this EDS. Please fully complete each statement, with all information current as of the date this EDS is signed. If a question is not applicable, answer with "N.A." An incomplete EDS will be returned and any City action will be delayed.

Please print or type all responses clearly and legibly. Add additional pages if needed, being careful to identify the portion of the EDS to which each additional page refers.

For purposes of this EDS:

"Applicant" means any entity or person making an application to the City for action requiring City Council or other City agency approval.

"Disclosing Party" means any entity or person submitting an EDS. If the Disclosing Party is participating in a matter in more than one capacity (for example, as underwriter and limited partner in a multi-family housing transaction), please indicate each such capacity in Section I.F. of the EDS.

"Entity" or **"Legal Entity"** means a legal entity (for example, a corporation, partnership, joint venture, limited liability company or trust).

"Person" means a human being.

WHO MUST SUBMIT AN EDS:

An EDS must be submitted in any of the following three circumstances:

1. Applicants: An Applicant must always file this EDS. If the Applicant is a legal entity, state the full name of that legal entity. If the Applicant is a person acting on his/her own behalf, state his/her name.
2. Entities holding an interest: Whenever a legal entity has a beneficial interest (i.e. direct or indirect ownership) of more than 7.5% in the Applicant, each such legal entity must file an EDS on its own behalf.
3. Controlling entities: Whenever a legal entity directly or indirectly controls the Applicant, each such controlling legal entity must file an EDS on its own behalf.

Rules Regarding
Economic Disclosure Statement and Affidavit

These Rules are promulgated pursuant to Section 2-154-050 of the Municipal Code. These rules are intended solely to provide guidance on interpretation of Chapter 2-154 of the Municipal Code ("Code") and are not intended to abrogate any disclosure requirements contained in 65 ILCS 5/8-10-8.5 ("Disclosure"), as applicable.

1. An entity that is any unit of the United States federal, state or local government or any agency or instrumentality thereof shall not be required to file an EDS.

2. An entity that holds an ownership interest in an Applicant of greater than 7.5%, but less than 100%, shall not be required to file an EDS if it is one of the following and, in lieu of an EDS, provides the disclosure information required in certain instances below:

- (a) a foundation having a current tax exemption under Section 501(c) of the Internal Revenue Code, so long as such foundation provides a copy of its most recent IRS Form 990; or
- (b) (i) a government entity, agency, department or instrumentality or (ii) a pension fund maintained by such a government body, or (iii) an enterprise created by Federal or state statute, but not formed as a business corporation or a not-for-profit (e.g., Fannie Mae, Federal Home Loan Corporation, SLM Corporation) or (iv) a government-owned corporation (e.g., Government National Mortgage Association); or
- (c) a registered investment adviser that holds an ownership interest of greater than 7.5%, but less than 22.5%, beneficially for its third party investors, so long as such registered investment adviser provides a copy of its most recent Form ADV and its most recent amendment thereto; or
- (d) a mutual fund that holds an ownership interest of greater than 7.5%, but less than 22.5%, beneficially for its third party investors, so long as such mutual fund provides a copy of its form N-1A and the most recent amendment thereto; or
- (e) such other entity that holds an ownership interest of greater than 7.5%, but less than 22.5%, as a beneficial owner for a class of other third party investors and is regulated by and required to make periodic filings with the federal Securities and Exchange Commission under the Securities Act, the Securities and Exchange Act, the Williams Act the Public Utility Holding Company Act, or the Investment Company Act or pursuant to comparable foreign securities regulatory and filing requirements, provided that (i) such entity provides a copy of such most recent filing or report, and (ii) the Corporation Counsel determines that such filing or report and the entity's disclosures therein reasonably satisfy the purposes and intent of the EDS Form.

3. Section 2-154-010 of the Municipal Code requires disclosures to be made when a person or entity "makes application to the City of Chicago for action." This phrase shall be construed not to apply to a transaction, and thus not to require submission of an EDS in conjunction with that transaction, if either 3A, 3B, 3C or 3D applies:

A. If the contracting party is providing money or other in-kind goods or services to the City in exchange solely for advertising or promotional rights relating to a City-produced festival, fair, event or seasonal program (an example of a seasonal program is Riverwalk).

B. If all of the following circumstances (i) through (iv) are present:

- (i) The action is being undertaken at the request of the City.
- (ii) The action is being undertaken for the primary benefit of the City.
- (iii) The affected party is not seeking the action and would not participate in the action if not for the City's request.
- (iv) The affected party is uniquely situated, such that the City would be unable to seek the benefit at issue from a different party. Examples include an easement granted for the City's benefit, or site access granted by a railroad or airline for the City's benefit.

C. If the City is legally obligated, pursuant to an ordinance or an existing contract, to execute an agreement with a party for a transaction and the City is not permitted, under its existing legal obligation, to exercise discretion in the selection of such party (e.g., a lender to an Applicant with whom the City is executing a subordination or intercreditor agreement, a third-party depository or escrow agent or the Applicant's landlord or tenant, or a similar co-participant in a deal involving an Applicant).

D. If the City enters into a subordination agreement or other form of intercreditor agreement with a private lender to an Applicant, which agreement is required by a governmental entity, instrumentality or agency (e.g., the United States Department of Housing and Urban Development) in connection with the provision of financing for affordable housing from the City to such Applicant, such private lender shall not be required to submit an EDS solely by virtue of such agreement.

4. The participation in a transaction by a party solely in that party's capacity as an escrowee or similar administrative capacity, where that party otherwise has no contracting relationship with the City in that transaction, shall not obligate that party to submit an EDS.

5. An entity that is the international olympic committee, the international paralympic

committee, a national olympic committee, a national paralympic committee, an organizing committee formed pursuant to the requirements of any international olympic committee or international paralympic committee, an international sports federation or association, a national sports federation or association, or any similar committee, federation, association or entity formed for the purpose of sponsoring, organizing, overseeing or participating in international or national athletic competitions, shall not be required to file an EDS.

6. If a Disclosing Party is required to supplement an EDS filing to comply with the requirements of Chapter 1-23, as incorporated into Section 2-154-020, of the Code, regarding that party's status as eligible to do business with the City, such supplemental disclosure shall be provided in writing to the Office of the Corporation Counsel.

NOTE: The exceptions in these Rules are set forth as a general matter, and depending on the facts and circumstances of a particular transaction, the City reserves the right to require an EDS from any one or more of the types of entities listed herein.



Stephen R. Patton

Ver. 04-10-13

**CITY OF CHICAGO
ECONOMIC DISCLOSURE STATEMENT
AND AFFIDAVIT**

SECTION I -- GENERAL INFORMATION

A. Legal name of the Disclosing Party submitting this EDS. Include d/b/a/ if applicable:

Check ONE of the following three boxes:

Indicate whether the Disclosing Party submitting this EDS is:

1. ☐ the Applicant

OR

2. ☐ a legal entity currently holding, or anticipated to hold within six months after City action on the contract, transaction or other undertaking to which this EDS pertains (referred to below as the "Matter"), a direct or indirect interest in excess of 7.5% in the Applicant. State the Applicant's legal name: _____

OR

3. ☐ a legal entity with a direct or indirect right of control of the Applicant (see Section II(B)(1)) State the legal name of the entity in which the Disclosing Party holds a right of control: _____

B. Business address of the Disclosing Party: _____

C. Telephone: _____ Fax: _____ Email: _____

D. Name of contact person: _____

E. Federal Employer Identification No. (if you have one): _____

F. Brief description of the Matter to which this EDS pertains. (Include project number and location of property, if applicable):

G. Which City agency or department is requesting this EDS? _____

If the Matter is a contract being handled by the City's Department of Procurement Services, please complete the following:

Specification # _____ and Contract # _____

SECTION II -- DISCLOSURE OF OWNERSHIP INTERESTS

A. NATURE OF THE DISCLOSING PARTY

1. Indicate the nature of the Disclosing Party:

- | | |
|---|--|
| <input type="checkbox"/> Person | <input type="checkbox"/> Limited liability company |
| <input type="checkbox"/> Publicly registered business corporation | <input type="checkbox"/> Limited liability partnership |
| <input type="checkbox"/> Privately held business corporation | <input type="checkbox"/> Joint venture |
| <input type="checkbox"/> Sole proprietorship | <input type="checkbox"/> Not-for-profit corporation |
| <input type="checkbox"/> General partnership | (Is the not-for-profit corporation also a 501(c)(3))? |
| <input type="checkbox"/> Limited partnership | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <input type="checkbox"/> Trust | <input type="checkbox"/> Other (please specify) |
-

2. For legal entities, the state (or foreign country) of incorporation or organization, if applicable:

3. For legal entities not organized in the State of Illinois: Has the organization registered to do business in the State of Illinois as a foreign entity?

☐ Yes ☐ No ☐ Organized in Illinois

B. IF THE DISCLOSING PARTY IS A LEGAL ENTITY:

1. List below the full names and titles, if applicable, of: (i) all executive officers and all directors of the entity; (ii) **for not-for-profit corporations**, all members, if any, which are legal entities (if there are no such members, write "no members which are legal entities"); (iii) **for trusts, estates or other similar entities**, the trustee, executor, administrator, or similarly situated party; (iv) **for general or limited partnerships, limited liability companies, limited liability partnerships or joint ventures**, each general partner, managing member, manager or any other person or legal entity that directly or indirectly controls the day-to-day management of the Applicant.

NOTE: Each legal entity listed below must submit an EDS on its own behalf.

Name

Title

2. Please provide the following information concerning each person or legal entity having a direct or indirect, current or prospective (i.e. within 6 months after City action) beneficial interest (including ownership) in excess of 7.5% of the Applicant. Examples of such an interest include shares in a corporation, partnership interest in a partnership or joint venture, interest of a member or manager in a

limited liability company, or interest of a beneficiary of a trust, estate or other similar entity. If none, state "None."

NOTE: Each legal entity listed below may be required to submit an EDS on its own behalf.

| Name | Business Address | Percentage Interest in the Applicant |
|------|------------------|--------------------------------------|
| | | |
| | | |
| | | |

SECTION III -- INCOME OR COMPENSATION TO, OR OWNERSHIP BY, CITY ELECTED OFFICIALS

Has the Disclosing Party provided any income or compensation to any City elected official during the 12-month period preceding the date of this EDS? ☐ Yes ☐ No

Does the Disclosing Party reasonably expect to provide any income or compensation to any City elected official during the 12-month period following the date of this EDS? ☐ Yes ☐ No

If "yes" to either of the above, please identify below the name(s) of such City elected official(s) and describe such income or compensation:

Does any City elected official or, to the best of the Disclosing Party's knowledge after reasonable inquiry, any City elected official's spouse or domestic partner, have a financial interest (as defined in Chapter 2-156 of the Municipal Code of Chicago ("MCC")) in the Disclosing Party?

☐ Yes ☐ No

If "yes," please identify below the name(s) of such City elected official(s) and/or spouse(s)/domestic partner(s) and describe the financial interest(s).

SECTION IV -- DISCLOSURE OF SUBCONTRACTORS AND OTHER RETAINED PARTIES

The Disclosing Party must disclose the name and business address of each subcontractor, attorney, lobbyist (as defined in MCC Chapter 2-156), accountant, consultant and any other person or entity whom the Disclosing Party has retained or expects to retain in connection with the Matter, as well as the nature of the relationship, and the total amount of the fees paid or estimated to be paid. The Disclosing Party is not required to disclose employees who are paid solely through the Disclosing Party's regular payroll. If the Disclosing Party is uncertain whether a disclosure is required under this Section, the Disclosing Party must either ask the City whether disclosure is required or make the disclosure.

| Name (indicate whether retained or anticipated to be retained) | Business Address | Relationship to Disclosing Party (subcontractor, attorney, lobbyist, etc.) | Fees (<u>indicate whether paid or estimated.</u>) NOTE: "hourly rate" or "t.b.d." is not an acceptable response. |
|--|------------------|--|---|
|--|------------------|--|---|

(Add sheets if necessary)

☐ Check here if the Disclosing Party has not retained, nor expects to retain, any such persons or entities.

SECTION V -- CERTIFICATIONS

A. COURT-ORDERED CHILD SUPPORT COMPLIANCE

Under MCC Section 2-92-415, substantial owners of business entities that contract with the City must remain in compliance with their child support obligations throughout the contract's term.

Has any person who directly or indirectly owns 10% or more of the Disclosing Party been declared in arrearage on any child support obligations by any Illinois court of competent jurisdiction?

☐ Yes ☐ No ☐ No person directly or indirectly owns 10% or more of the Disclosing Party.

If "Yes," has the person entered into a court-approved agreement for payment of all support owed and is the person in compliance with that agreement?

☐ Yes ☐ No

B. FURTHER CERTIFICATIONS

1. [This paragraph 1 applies only if the Matter is a contract being handled by the City's Department of Procurement Services.] In the 5-year period preceding the date of this EDS, neither the Disclosing Party nor any Affiliated Entity [see definition in (5) below] has engaged, in connection with the performance of any public contract, the services of an integrity monitor, independent private sector inspector general, or integrity compliance consultant (i.e., an individual or entity with legal, auditing, investigative, or other similar skills, designated by a public agency to help the agency monitor the activity of specified agency vendors as well as help the vendors reform their business practices so they can be considered for agency contracts in the future, or continue with a contract in progress).

2. The Disclosing Party and its Affiliated Entities are not delinquent in the payment of any fine, fee, tax or other source of indebtedness owed to the City of Chicago, including, but not limited to, water and sewer charges, license fees, parking tickets, property taxes and sales taxes, nor is the Disclosing Party delinquent in the payment of any tax administered by the Illinois Department of Revenue.

3. The Disclosing Party and, if the Disclosing Party is a legal entity, all of those persons or entities identified in Section II(B)(1) of this EDS:

- a. are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from any transactions by any federal, state or local unit of government;
- b. have not, during the 5 years before the date of this EDS, been convicted of a criminal offense, adjudged guilty, or had a civil judgment rendered against them in connection with: obtaining, attempting to obtain, or performing a public (federal, state or local) transaction or contract under a public transaction; a violation of federal or state antitrust statutes; fraud; embezzlement; theft; forgery; bribery; falsification or destruction of records; making false statements; or receiving stolen property;
- c. are not presently indicted for, or criminally or civilly charged by, a governmental entity (federal, state or local) with committing any of the offenses set forth in subparagraph (b) above;
- d. have not, during the 5 years before the date of this EDS, had one or more public transactions (federal, state or local) terminated for cause or default; and
- e. have not, during the 5 years before the date of this EDS, been convicted, adjudged guilty, or found liable in a civil proceeding, or in any criminal or civil action, including actions concerning environmental violations, instituted by the City or by the federal government, any state, or any other unit of local government.

4. The Disclosing Party understands and shall comply with the applicable requirements of MCC Chapters 2-56 (Inspector General) and 2-156 (Governmental Ethics).

5. Certifications (5), (6) and (7) concern:

- the Disclosing Party;
- any "Contractor" (meaning any contractor or subcontractor used by the Disclosing Party in connection with the Matter, including but not limited to all persons or legal entities disclosed under Section IV, "Disclosure of Subcontractors and Other Retained Parties");
- any "Affiliated Entity" (meaning a person or entity that, directly or indirectly: controls the Disclosing Party, is controlled by the Disclosing Party, or is, with the Disclosing Party, under common control of another person or entity). Indicia of control include, without limitation: interlocking management or ownership; identity of interests among family members, shared facilities and equipment; common use of employees; or organization of a business entity following the ineligibility of a business entity to do business with federal or state or local government, including the City, using substantially the same management, ownership, or principals as the ineligible entity. With respect to Contractors, the term Affiliated Entity means a person or entity that directly or indirectly controls the Contractor, is controlled by it, or, with the Contractor, is under common control of another person or entity;
- any responsible official of the Disclosing Party, any Contractor or any Affiliated Entity or any other official, agent or employee of the Disclosing Party, any Contractor or any Affiliated Entity, acting pursuant to the direction or authorization of a responsible official of the Disclosing Party, any Contractor or any Affiliated Entity (collectively "Agents").

Neither the Disclosing Party, nor any Contractor, nor any Affiliated Entity of either the Disclosing Party or any Contractor, nor any Agents have, during the 5 years before the date of this EDS, or, with respect to a Contractor, an Affiliated Entity, or an Affiliated Entity of a Contractor during the 5 years before the date of such Contractor's or Affiliated Entity's contract or engagement in connection with the Matter:

- a. bribed or attempted to bribe, or been convicted or adjudged guilty of bribery or attempting to bribe, a public officer or employee of the City, the State of Illinois, or any agency of the federal government or of any state or local government in the United States of America, in that officer's or employee's official capacity;
 - b. agreed or colluded with other bidders or prospective bidders, or been a party to any such agreement, or been convicted or adjudged guilty of agreement or collusion among bidders or prospective bidders, in restraint of freedom of competition by agreement to bid a fixed price or otherwise;
 - c. made an admission of such conduct described in subparagraph (a) or (b) above that is a matter of record, but have not been prosecuted for such conduct; or
 - d. violated the provisions referenced in MCC Subsection 2-92-320(a)(4)(Contracts Requiring a Base Wage); (a)(5)(Debarment Regulations); or (a)(6)(Minimum Wage Ordinance).
6. Neither the Disclosing Party, nor any Affiliated Entity or Contractor, or any of their employees, officials, agents or partners, is barred from contracting with any unit of state or local government as a result of engaging in or being convicted of (1) bid-rigging in violation of 720 ILCS 5/33E-3; (2) bid-rotating in violation of 720 ILCS 5/33E-4; or (3) any similar offense of any state or of the United States of America that contains the same elements as the offense of bid-rigging or bid-rotating.
7. Neither the Disclosing Party nor any Affiliated Entity is listed on a Sanctions List maintained by the United States Department of Commerce, State, or Treasury, or any successor federal agency.
8. [FOR APPLICANT ONLY] (i) Neither the Applicant nor any "controlling person" [see MCC Chapter 1-23, Article I for applicability and defined terms] of the Applicant is currently indicted or charged with, or has admitted guilt of, or has ever been convicted of, or placed under supervision for, any criminal offense involving actual, attempted, or conspiracy to commit bribery, theft, fraud, forgery, perjury, dishonesty or deceit against an officer or employee of the City or any "sister agency"; and (ii) the Applicant understands and acknowledges that compliance with Article I is a continuing requirement for doing business with the City. NOTE: If MCC Chapter 1-23, Article I applies to the Applicant, that Article's permanent compliance timeframe supersedes 5-year compliance timeframes in this Section V.
9. [FOR APPLICANT ONLY] The Applicant and its Affiliated Entities will not use, nor permit their subcontractors to use, any facility listed as having an active exclusion by the U.S. EPA on the federal System for Award Management ("SAM").
10. [FOR APPLICANT ONLY] The Applicant will obtain from any contractors/subcontractors hired or to be hired in connection with the Matter certifications equal in form and substance to those in Certifications (2) and (9) above and will not, without the prior written consent of the City, use any such

contractor/subcontractor that does not provide such certifications or that the Applicant has reason to believe has not provided or cannot provide truthful certifications.

11. If the Disclosing Party is unable to certify to any of the above statements in this Part B (Further Certifications), the Disclosing Party must explain below:

If the letters "NA," the word "None," or no response appears on the lines above, it will be conclusively presumed that the Disclosing Party certified to the above statements.

12. To the best of the Disclosing Party's knowledge after reasonable inquiry, the following is a complete list of all current employees of the Disclosing Party who were, at any time during the 12-month period preceding the date of this EDS, an employee, or elected or appointed official, of the City of Chicago (if none, indicate with "N/A" or "none").

13. To the best of the Disclosing Party's knowledge after reasonable inquiry, the following is a complete list of all gifts that the Disclosing Party has given or caused to be given, at any time during the 12-month period preceding the execution date of this EDS, to an employee, or elected or appointed official, of the City of Chicago. For purposes of this statement, a "gift" does not include: (i) anything made generally available to City employees or to the general public, or (ii) food or drink provided in the course of official City business and having a retail value of less than \$25 per recipient, or (iii) a political contribution otherwise duly reported as required by law (if none, indicate with "N/A" or "none"). As to any gift listed below, please also list the name of the City recipient.

C. CERTIFICATION OF STATUS AS FINANCIAL INSTITUTION

1. The Disclosing Party certifies that the Disclosing Party (check one)

☐ is ☐ is not

a "financial institution" as defined in MCC Section 2-32-455(b).

2. If the Disclosing Party IS a financial institution, then the Disclosing Party pledges:

"We are not and will not become a predatory lender as defined in MCC Chapter 2-32. We further pledge that none of our affiliates is, and none of them will become, a predatory lender as defined in MCC Chapter 2-32. We understand that becoming a predatory lender or becoming an affiliate of a predatory lender may result in the loss of the privilege of doing business with the City."

If the Disclosing Party is unable to make this pledge because it or any of its affiliates (as defined in MCC Section 2-32-455(b)) is a predatory lender within the meaning of MCC Chapter 2-32, explain here (attach additional pages if necessary):

If the letters "NA," the word "None," or no response appears on the lines above, it will be conclusively presumed that the Disclosing Party certified to the above statements.

D. CERTIFICATION REGARDING FINANCIAL INTEREST IN CITY BUSINESS

Any words or terms defined in MCC Chapter 2-156 have the same meanings if used in this Part D.

1. In accordance with MCC Section 2-156-110: To the best of the Disclosing Party's knowledge after reasonable inquiry, does any official or employee of the City have a financial interest in his or her own name or in the name of any other person or entity in the Matter?

☐ Yes

☐ No

NOTE: If you checked "Yes" to Item D(1), proceed to Items D(2) and D(3). If you checked "No" to Item D(1), skip Items D(2) and D(3) and proceed to Part E.

2. Unless sold pursuant to a process of competitive bidding, or otherwise permitted, no City elected official or employee shall have a financial interest in his or her own name or in the name of any other person or entity in the purchase of any property that (i) belongs to the City, or (ii) is sold for taxes or assessments, or (iii) is sold by virtue of legal process at the suit of the City (collectively, "City Property Sale"). Compensation for property taken pursuant to the City's eminent domain power does not constitute a financial interest within the meaning of this Part D.

Does the Matter involve a City Property Sale?

☐ Yes

☐ No

3. If you checked "Yes" to Item D(1), provide the names and business addresses of the City officials or employees having such financial interest and identify the nature of the financial interest:

Name

Business Address

Nature of Financial Interest

4. The Disclosing Party further certifies that no prohibited financial interest in the Matter will be acquired by any City official or employee.

E. CERTIFICATION REGARDING SLAVERY ERA BUSINESS

Please check either (1) or (2) below. If the Disclosing Party checks (2), the Disclosing Party must disclose below or in an attachment to this EDS all information required by (2). Failure to comply with these disclosure requirements may make any contract entered into with the City in connection with the Matter voidable by the City.

☐ 1. The Disclosing Party verifies that the Disclosing Party has searched any and all records of the Disclosing Party and any and all predecessor entities regarding records of investments or profits from slavery or slaveholder insurance policies during the slavery era (including insurance policies issued to slaveholders that provided coverage for damage to or injury or death of their slaves), and the Disclosing Party has found no such records.

☐ 2. The Disclosing Party verifies that, as a result of conducting the search in step (1) above, the Disclosing Party has found records of investments or profits from slavery or slaveholder insurance policies. The Disclosing Party verifies that the following constitutes full disclosure of all such records, including the names of any and all slaves or slaveholders described in those records:

SECTION VI -- CERTIFICATIONS FOR FEDERALLY FUNDED MATTERS

NOTE: If the Matter is federally funded, complete this Section VI. If the Matter is not federally funded, proceed to Section VII. For purposes of this Section VI, tax credits allocated by the City and proceeds of debt obligations of the City are not federal funding.

A. CERTIFICATION REGARDING LOBBYING

1. List below the names of all persons or entities registered under the federal Lobbying Disclosure Act of 1995, as amended, who have made lobbying contacts on behalf of the Disclosing Party with respect to the Matter: (Add sheets if necessary):

(If no explanation appears or begins on the lines above, or if the letters "NA" or if the word "None" appear, it will be conclusively presumed that the Disclosing Party means that NO persons or entities registered under the Lobbying Disclosure Act of 1995, as amended, have made lobbying contacts on behalf of the Disclosing Party with respect to the Matter.)

2. The Disclosing Party has not spent and will not expend any federally appropriated funds to pay any person or entity listed in paragraph A(1) above for his or her lobbying activities or to pay any person or entity to influence or attempt to influence an officer or employee of any agency, as defined by applicable federal law, a member of Congress, an officer or employee of Congress, or an employee

of a member of Congress, in connection with the award of any federally funded contract, making any federally funded grant or loan, entering into any cooperative agreement, or to extend, continue, renew, amend, or modify any federally funded contract, grant, loan, or cooperative agreement.

3. The Disclosing Party will submit an updated certification at the end of each calendar quarter in which there occurs any event that materially affects the accuracy of the statements and information set forth in paragraphs A(1) and A(2) above.

4. The Disclosing Party certifies that either: (i) it is not an organization described in section 501(c)(4) of the Internal Revenue Code of 1986; or (ii) it is an organization described in section 501(c)(4) of the Internal Revenue Code of 1986 but has not engaged and will not engage in "Lobbying Activities," as that term is defined in the Lobbying Disclosure Act of 1995, as amended.

5. If the Disclosing Party is the Applicant, the Disclosing Party must obtain certifications equal in form and substance to paragraphs A(1) through A(4) above from all subcontractors before it awards any subcontract and the Disclosing Party must maintain all such subcontractors' certifications for the duration of the Matter and must make such certifications promptly available to the City upon request.

B. CERTIFICATION REGARDING EQUAL EMPLOYMENT OPPORTUNITY

If the Matter is federally funded, federal regulations require the Applicant and all proposed subcontractors to submit the following information with their bids or in writing at the outset of negotiations.

Is the Disclosing Party the Applicant?

☐ Yes

☐ No

If "Yes," answer the three questions below:

1. Have you developed and do you have on file affirmative action programs pursuant to applicable federal regulations? (See 41 CFR Part 60-2.)

☐ Yes

☐ No

2. Have you filed with the Joint Reporting Committee, the Director of the Office of Federal Contract Compliance Programs, or the Equal Employment Opportunity Commission all reports due under the applicable filing requirements?

☐ Yes

☐ No

☐ Reports not required

3. Have you participated in any previous contracts or subcontracts subject to the equal opportunity clause?

☐ Yes

☐ No

If you checked "No" to question (1) or (2) above, please provide an explanation:

SECTION VII -- FURTHER ACKNOWLEDGMENTS AND CERTIFICATION

The Disclosing Party understands and agrees that:

A. The certifications, disclosures, and acknowledgments contained in this EDS will become part of any contract or other agreement between the Applicant and the City in connection with the Matter, whether procurement, City assistance, or other City action, and are material inducements to the City's execution of any contract or taking other action with respect to the Matter. The Disclosing Party understands that it must comply with all statutes, ordinances, and regulations on which this EDS is based.

B. The City's Governmental Ethics Ordinance, MCC Chapter 2-156, imposes certain duties and obligations on persons or entities seeking City contracts, work, business, or transactions. The full text of this ordinance and a training program is available on line at www.cityofchicago.org/Ethics, and may also be obtained from the City's Board of Ethics, 740 N. Sedgwick St., Suite 500, Chicago, IL 60610, (312) 744-9660. The Disclosing Party must comply fully with this ordinance.

C. If the City determines that any information provided in this EDS is false, incomplete or inaccurate, any contract or other agreement in connection with which it is submitted may be rescinded or be void or voidable, and the City may pursue any remedies under the contract or agreement (if not rescinded or void), at law, or in equity, including terminating the Disclosing Party's participation in the Matter and/or declining to allow the Disclosing Party to participate in other City transactions. Remedies at law for a false statement of material fact may include incarceration and an award to the City of treble damages.

D. It is the City's policy to make this document available to the public on its Internet site and/or upon request. Some or all of the information provided in, and appended to, this EDS may be made publicly available on the Internet, in response to a Freedom of Information Act request, or otherwise. By completing and signing this EDS, the Disclosing Party waives and releases any possible rights or claims which it may have against the City in connection with the public release of information contained in this EDS and also authorizes the City to verify the accuracy of any information submitted in this EDS.

E. The information provided in this EDS must be kept current. In the event of changes, the Disclosing Party must supplement this EDS up to the time the City takes action on the Matter. If the Matter is a contract being handled by the City's Department of Procurement Services, the Disclosing Party must update this EDS as the contract requires. **NOTE:** With respect to Matters subject to MCC Chapter 1-23, Article I (imposing **PERMANENT INELIGIBILITY** for certain specified offenses), the information provided herein regarding eligibility must be kept current for a longer period, as required by MCC Chapter 1-23 and Section 2-154-020.

CERTIFICATION

Under penalty of perjury, the person signing below: (1) warrants that he/she is authorized to execute this EDS, and all applicable Appendices, on behalf of the Disclosing Party, and (2) warrants that all certifications and statements contained in this EDS, and all applicable Appendices, are true, accurate and complete as of the date furnished to the City.

(Print or type exact legal name of Disclosing Party)

By: _____
(Sign here)

(Print or type name of person signing)

(Print or type title of person signing)

Signed and sworn to before me on (date) _____,

at _____ County, _____ (state).

Notary Public

Commission expires: _____

**CITY OF CHICAGO
ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT
APPENDIX A**

**FAMILIAL RELATIONSHIPS WITH ELECTED CITY OFFICIALS
AND DEPARTMENT HEADS**

This Appendix is to be completed only by (a) the Applicant, and (b) any legal entity which has a direct ownership interest in the Applicant exceeding 7.5%. It is not to be completed by any legal entity which has only an indirect ownership interest in the Applicant.

Under MCC Section 2-154-015, the Disclosing Party must disclose whether such Disclosing Party or any "Applicable Party" or any Spouse or Domestic Partner thereof currently has a "familial relationship" with any elected city official or department head. A "familial relationship" exists if, as of the date this EDS is signed, the Disclosing Party or any "Applicable Party" or any Spouse or Domestic Partner thereof is related to the mayor, any alderman, the city clerk, the city treasurer or any city department head as spouse or domestic partner or as any of the following, whether by blood or adoption: parent, child, brother or sister, aunt or uncle, niece or nephew, grandparent, grandchild, father-in-law, mother-in-law, son-in-law, daughter-in-law, stepfather or stepmother, stepson or stepdaughter, stepbrother or stepsister or half-brother or half-sister.

"Applicable Party" means (1) all executive officers of the Disclosing Party listed in Section II.B.1.a., if the Disclosing Party is a corporation; all partners of the Disclosing Party, if the Disclosing Party is a general partnership; all general partners and limited partners of the Disclosing Party, if the Disclosing Party is a limited partnership; all managers, managing members and members of the Disclosing Party, if the Disclosing Party is a limited liability company; (2) all principal officers of the Disclosing Party; and (3) any person having more than a 7.5% ownership interest in the Disclosing Party. "Principal officers" means the president, chief operating officer, executive director, chief financial officer, treasurer or secretary of a legal entity or any person exercising similar authority.

Does the Disclosing Party or any "Applicable Party" or any Spouse or Domestic Partner thereof currently have a "familial relationship" with an elected city official or department head?

☐ Yes

☐ No

If yes, please identify below (1) the name and title of such person, (2) the name of the legal entity to which such person is connected; (3) the name and title of the elected city official or department head to whom such person has a familial relationship, and (4) the precise nature of such familial relationship.

**CITY OF CHICAGO
ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT
APPENDIX B**

BUILDING CODE SCOFFLAW/PROBLEM LANDLORD CERTIFICATION

This Appendix is to be completed only by (a) the Applicant, and (b) any legal entity which has a direct ownership interest in the Applicant exceeding 7.5% (an "Owner"). It is not to be completed by any legal entity which has only an indirect ownership interest in the Applicant.

1. Pursuant to MCC Section 2-154-010, is the Applicant or any Owner identified as a building code scofflaw or problem landlord pursuant to MCC Section 2-92-416?

☐ Yes

☐ No

2. If the Applicant is a legal entity publicly traded on any exchange, is any officer or director of the Applicant identified as a building code scofflaw or problem landlord pursuant to MCC Section 2-92-416?

☐ Yes

☐ No

☐ The Applicant is not publicly traded on any exchange.

3. If yes to (1) or (2) above, please identify below the name of each person or legal entity identified as a building code scofflaw or problem landlord and the address of each building or buildings to which the pertinent code violations apply.

**CITY OF CHICAGO
ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT
APPENDIX C**

PROHIBITION ON WAGE & SALARY HISTORY SCREENING - CERTIFICATION

This Appendix is to be completed only by an Applicant that is completing this EDS as a “contractor” as defined in MCC Section 2-92-385. That section, which should be consulted (www.amlegal.com), generally covers a party to any agreement pursuant to which they: (i) receive City of Chicago funds in consideration for services, work or goods provided (including for legal or other professional services), or (ii) pay the City money for a license, grant or concession allowing them to conduct a business on City premises.

On behalf of an Applicant that is a contractor pursuant to MCC Section 2-92-385, I hereby certify that the Applicant is in compliance with MCC Section 2-92-385(b)(1) and (2), which prohibit: (i) screening job applicants based on their wage or salary history, or (ii) seeking job applicants’ wage or salary history from current or former employers. I also certify that the Applicant has adopted a policy that includes those prohibitions.

☐ Yes

☐ No

☐ N/A – I am not an Applicant that is a “contractor” as defined in MCC Section 2-92-385.

This certification shall serve as the affidavit required by MCC Section 2-92-385(c)(1).

If you checked “no” to the above, please explain.

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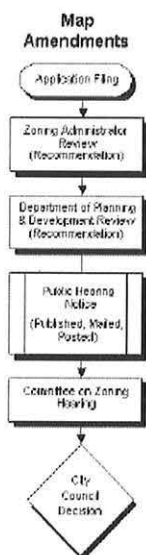
17-13-0202 Recommendations – Zoning Administrator. The Zoning Administrator must review each proposed text amendment application and forward a recommendation on the proposal to the City Council Committee on Zoning before the Committee’s public hearing. The recommendation of the Zoning Administrator must also be forwarded to the City Council when the report of the City Council Committee on Zoning is initially submitted to the City Council.

17-13-0203 Hearing – City Council Committee on Zoning. The City Council Committee on Zoning must hold a hearing on all Zoning Ordinance text amendments. Published Notice of the City Council Committee on Zoning’s public hearing must be provided in accordance with Sec. 17-13-0107-B.

17-13-0204 Final Action – City Council. The City Council is the final decision-making body on Zoning Ordinance text amendments. The City Council may act by simple majority vote.

(Added Coun. J. 5-26-04, p. 25275; Amend Coun. J. 3-9-05, p. 44391; Amend Coun. J. 11-19-08, p. 47220, Art. VII, § 1)

17-13-0300 Zoning map amendments (rezonings).



17-13-0301 Applicability. The Zoning Map Amendment procedures of this section apply to all proposed rezonings except *planned developments*. *Planned developments* are subject to the review and approval procedures of Sec. 17-13-0600.

17-13-0302 Type 1 and Type 2 zoning map amendments.

17-13-0302-A Type 1.

1. A Type 1 application is required for proposals to rezone property:
 - (a) to a zoning district that allows a *floor area ratio* that is 2 or more times higher than the subject property’s existing zoning classification must submit a Type 1 application (for example, rezoning from RT4 to a B or C dash 3 classification would require a Type 1 application, since the FAR allowed under dash 3 [3.0] is more than double that of the RT4 district [1.2]);
 - (b) from a zoning district that does not impose maximum height limits to a zoning district that does impose maximum height limits; or
 - (c) from a zoning district that does not allow *household living* uses to a zoning district that does allow *household living* uses (for example, rezoning from an M district to an R district).
2. Any other applicant may elect to submit a Type 1 application.

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17-13-0302-B Type 2. Any Zoning Map Amendment application that is not a Type 1 application is a Type 2 application.

17-13-0302-C Effect. The designation of a Zoning Map Amendment application as "Type 1" or "Type 2" determines the extent of information required to be submitted with the application, as described in Sec. 17-13-0303-C. Type 1 applications are also subject to Sec. 17-13-0310. All other rezoning procedures of this section (Sec. 17-13-0300) apply uniformly to Type 1 and Type 2 Zoning Map Amendment applications.

17-13-0302-D Affordable Housing Requirement. Property that is rezoned to a zoning classification that allows a higher base floor area ratio and is subsequently developed with a residential housing project, as that term is defined in section 2-45-110, shall comply with the affordable housing requirements of section 2-45-110, if applicable; provided that the developer of every residential housing project subject to the provisions of section 2-45-110 and subsection 17-4-1004-D may elect to comply with the affordable housing requirement provisions of section 17-4-1004 instead.

17-13-0303 Applications.

17-13-0303-A Authority to File. Zoning Map Amendments may be proposed by the Mayor, City Council, Zoning Administrator, the *property owner* of the subject property or the subject *property owner's* authorized *agent*.

17-13-0303-B Filing. Zoning Map Amendment applications must be filed with the Zoning Administrator. Upon determining that an application is complete, the Zoning Administrator must transmit the application to the City Clerk. The City Clerk must file all such applications with the City Council at its next regular meeting.

17-13-0303-C Contents of Type 1 Rezoning Application. In addition to the information required by the Zoning Administrator to be submitted with any other Zoning Map Amendment application, the following additional information must be submitted with all Type 1 applications:

1. A (narrative) zoning and development analysis describing the proposed development's:
 - (a) *floor area ratio*;
 - (b) *density (lot area per dwelling unit)*;
 - (c) *off-street parking*;
 - (d) *setbacks*; and
 - (e) *building height*.
2. Drawings, photographs and/or plans illustrating:
 - (a) *building orientation and setbacks*;
 - (b) *building bulk and scale in relation to nearby buildings*;
 - (c) *curb cuts*;
 - (d) *sidewalks*;
 - (e) *parking and loading areas*;
 - (f) *landscaping*;
 - (g) *useable on-site open space*;

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(h) garbage storage facilities; and

(i) such additional information as is necessary to demonstrate compliance with applicable standards of this Zoning Ordinance.

17-13-0304 Disclosures. The following disclosures are required to be submitted with all Zoning Map Amendment applications.

17-13-0304-A Whenever the subject property is in a land trust, the applicant must disclose the identity of each beneficiary of such trust, including the name, address, and percentage of interest of each beneficiary of each trust. Such disclosure must be a statement under oath and must be filed at the time of filing the application.

17-13-0304-B Whenever the applicant is a partnership or association of two or more persons holding a joint or common interest, the names and addresses of each partner or associate must be listed and such disclosure must be a statement under oath and must be filed at the time of filing the application.

17-13-0304-C Whenever the applicant is an *agent* or *agents* or nominee, the principals for whom such *agent*, *agents*, or nominee holding such interest must be disclosed. Such disclosure must be a statement under oath and must be filed at the time of filing the application.

17-13-0304-D Whenever the applicant is a corporation, the names and addresses of all shareholders owning shares equal to or in excess of 3% of the proportionate interest, the names, addresses and percentage of each therein must be disclosed. Such disclosure must be a statement under oath and must be filed at the time of filing the application.

17-13-0304-E Whenever the applicant is either the Mayor or a member of the City Council, the applicant must disclose if he is the *property owner* of the property or has any direct or indirect interest in the property subject to the proposed amendment. In addition, any member of the City Council, and the Mayor if the applicant is a member of the City Council, who is the *property owner* of the property or has any direct or indirect interest in the property subject to the proposed amendment must disclose the nature of the interest.

17-13-0304-F In the event the amendment is adopted by the City Council, the Mayor or any member of the City Council who acquires any direct or indirect interest in the property which is the subject of the amendment within 3 years of its passage must file a sworn statement disclosing the nature of the interest acquired and the date of acquisition.

17-13-0304-G Pursuant to Chapter 2-154 of the Municipal Code of Chicago, an Economic Disclosure Statement and Affidavit are required to be filed. If the applicant is not the owner of the property, a disclosure statement must be filed for both the applicant and* the owner.

* **Editor's note** – Correct language appears to be "...applicant and the owner."

17-13-0305 Recommendations – Zoning Administrator. The Zoning Administrator must review each proposed zoning map amendment application and forward a recommendation on the proposal to the City Council Committee on Zoning before the Committee's public hearing. The recommendation of the Zoning Administrator must also be forwarded to the City Council when the report of the City Council Committee on Zoning is initially submitted to the City Council.

17-13-0306 Hearing – City Council Committee on Zoning. The City Council Committee on Zoning must hold a hearing on all zoning map amendments. Written, Published and Posted Notice of the City Council Committee on Zoning's public hearing must be provided in accordance with Sec. 17-13-0107-A, Sec. 17-13-0107-B and Sec. 17-13-0107-C.

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17-13-0307 Final Action – City Council. The City Council is the final decision-making body on zoning map amendments. The City Council may act by simple majority vote unless a valid written protest against the proposed amendment is filed with the City Clerk at least 3 days before the date that the City Council votes on the proposed amendment.

17-13-0307-A A valid written protest is one that is signed and acknowledged by:

1. the *property owners* of 20% of the land proposed to be rezoned; or
2. the *property owners* of land immediately touching, or immediately across a *street, alley, or public way* from at least 20% of the perimeter of the land to be rezoned.

17-13-0307-B In the case of a valid written protest, approval of a zoning map amendment requires a favorable vote of two-thirds of all Aldermen.

17-13-0307-C A copy of the written protest must be served by the protester on the applicant and the applicant's *agent* by certified mail at the address shown on the application.

17-13-0308 Review and Decision-Making Criteria. The act of amending the zoning map is a legislative action that must be made in the best interests of the public health, safety and general welfare, while also recognizing the rights of individual *property owners*. In reviewing and making decisions on proposed zoning map amendments, review bodies and decision-making bodies should consider at least the following factors:

17-13-0308-A whether the proposed rezoning is consistent with any plans for the area that have been adopted by the Plan Commission or approved by the City Council;

17-13-0308-B whether the proposed rezoning is appropriate because of significant changes in the character of the area due to public facility capacity, other rezonings, or growth and development trends;

17-13-0308-C whether the proposed development is compatible with the character of the surrounding area in terms of uses, *density* and building scale;

17-13-0308-D whether the proposed zoning classification is compatible with surrounding zoning; and

17-13-0308-E whether public infrastructure facilities and city services will be adequate to serve the proposed development at the time of occupancy.

17-13-0309 Inaction by City Council. If the City Council does not take action on a proposed zoning map amendment within 6 months of the day the application is filed by the City Clerk with the City Council, the application will be considered to have been denied.

17-13-0310 Effect of Approval of Type 1 Zoning Map Amendment. Once a Type 1 application is approved, no permits may be issued except those that the Zoning Administrator determines to be in strict compliance with the *density* shown on the development plan approved by the City Council and in substantial compliance with the setbacks, *floor area ratio*, parking and *building height* shown on the development plan that was approved by the City Council. Proposals to make substantial modifications to City Council-approved development plans must be processed in accordance with the Zoning Map Amendment procedures of this section (Sec. 17-13-0300).

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17-13-0300 | Zoning Map Amendments (Rezoning)

17-13-0311 Lapse of Approval of Type 1 Zoning Map Amendment. Except within a D district, a building permit must be obtained within 2 years of the effective date of an ordinance approving a Type 1 Zoning Map Amendment. If a building permit is not obtained within that period, the Zoning Administrator must initiate a Zoning Ordinance Map Amendment to rezone the subject property to the zoning classification that applied to the subject property before approval of the Type 1 Zoning Map Amendment, in accordance with the procedures of Sec. 17-13-0300.

(Added Coun. J. 5-26-04, p. 25275; Amend Coun. J. 3-9-05, p. 44391; Amend Coun J. 5-14-07, p. 106483, § 3; Amend Coun. J. 11-19-08, p. 47220, Art. VII, § 1; Amend Coun. J. 11-19-08, p. 47220, Art. VIII, § 1)

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17-13-0104 Application Completeness.

17-13-0104-A

1. An application will be considered complete and ready for processing only if it is submitted in the required number and form, includes all required information and is accompanied by the required filing fee.
2. No application for a zoning amendment, planned development, special use, variation or appeal shall be deemed to be complete if the applicant or owner of the property identified in the application or any person owning, directly or indirectly, more than 7.5 percent of the interest in such applicant or owner has any outstanding debt, as defined in Section 2-80-065(a), unless and until each applicable person owing such debt satisfies or otherwise resolves the debt within the meaning of Section 2-80-065(a). Provided, however, that this requirement shall not apply to any federal, state or local government agency. For purposes of this paragraph (2), "more than 7.5 percent" shall mean more than 7.5 percent of the combined voting power or fair market value of all stock, partnership interests or other ownership interests in the applicant or property owner or the right to receive at any time the distribution of more than 7.5 percent of the income or profits of the applicant or property owner.
3. The official responsible for accepting the application has authority to determine whether the application is complete.

17-13-0104-B If an application is deemed incomplete, written notice must be provided to the applicant and the applicant's *agent*. The notice must include an explanation of the application's deficiencies.

17-13-0104-C No further processing of incomplete applications will occur until the deficiencies are corrected. If the deficiencies are not corrected by the applicant within 90 days, the application will be considered withdrawn.

17-13-0105 Hearings. Hearings must be conducted and hearing records preserved in accordance with the rules of the review body or decision-making body responsible for conducting public hearings on the application.

17-13-0106 Burden of Proof. Unless otherwise expressly stated, the burden of demonstrating that an application complies with applicable review and approval criteria is on the applicant. The burden is not on the city or other parties to show that the criteria have not been met.

17-13-0107 Public Notices.

17-13-0107-A Written Notice. Whenever the provisions of this Zoning Ordinance require that "Written Notice" be provided, such notice must be given as specified in this section.

1. Timing.
 - (a) One written notice of *administrative adjustment* applications must be provided by the applicant at least 10 days before the Zoning Administrator takes action on the application. The Zoning Administrator may not take final action on an *administrative adjustment* application until at least 10 days after the date that notices were mailed to abutting *property owners*.
 - (b) One written notice for all other applications requiring written notice must be provided by the applicant no more than 30 days before filing the application.
2. Radius. Unless otherwise expressly stated, the notification radius for applications requiring written notice is as follows:
 - (a) In the case of special use applications and zoning map amendments, including *planned developments*, written notice must be provided to *property owners* of the subject property and to all *property owners* within 250 feet of the *property lines* of the subject property.

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(b) In the case of *special use* applications for *sanitary landfills, hazardous waste treatment or storage facilities, liquid waste handling facilities, resource recovery facilities, reprocessible construction/ demolition material facilities, incinerators or transfer stations*, the applicant must provide written notice to all *property owners* within 500 feet of the *property lines* of the subject property.

(c) In the case of *administrative adjustment* applications, the applicant must provide written notice to *property owners* of abutting lots on both sides of the subject property.

(d) In the case of *variation* applications, written notice must be provided to *property owners* of the subject property and to all *property owners* within 100 feet of the *property lines* of the subject property.

(e) Land occupied by public roads, *streets, alleys* and other *public ways* is to be excluded in computing the required notification radius.

3. All required written notices must be sent USPS first class mail unless otherwise expressly stated.

4. Ownership information must be obtained from the most recent authentic tax records of Cook County.

5. Written notices must contain:

(a) the common *street* address of the subject property,

(b) a description of the nature, scope and purpose of the application or proposal;

(c) the name and address of the applicant;

(d) the date that the applicant intends to file the application; and

(e) a source for additional information on the application or proposal.

6. If after a bona fide effort to provide written notice, the *property owner* of the property on which notice is served cannot be found at their last known address, or the mailed notice is returned because the *property owner* cannot be found at their last known address, the written notice requirements of this section will be deemed satisfied.

7. At the time of filing an application, the applicant must furnish a complete list containing the names and last known addresses of the persons provided with notice. The applicant must also furnish a written affidavit certifying compliance with all applicable written notice requirements.

(a) Lists and affidavits must be furnished to the Chairman of the City Council Committee on Zoning for matters requiring final approval by the City Council or to the Chairman of Zoning Board of Appeals for matters requiring final approval by the Zoning Board of Appeals.

(b) No hearing will be scheduled or conducted until the applicant complies with all applicable notice requirements.

8. Whenever the applicant for a matter requiring final approval by the City Council is the Mayor, a member of the City Council or the Zoning Administrator, the written notice requirements are as follows:

(a) Written notice must be given as set forth in paragraph 17-13-0107-A2, except that notice may be served by first-class mail and must be served at least 15 days before an advertised public hearing.

(b) Written notice of any public hearing required before the Plan Commission must be given by the Department of Zoning and Land Use Planning.

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(c) Notice of any required public hearing before the City Council Committee on Zoning must be given by the City Council Committee on Zoning.

(d) When any property in the area requiring notice has been converted to condominiums pursuant to the "Illinois Condominium Act" and contains more than 25 condominium units, notice must be given only to the Condominium Association governing the property.

9. In the case of *special use* and *variation* applications, the Zoning Board of Appeals must send written notice to those persons required to be notified under paragraph 17-13-0107-A2, above.

(a) This notice must be sent first class mail no more than 30 days and not less than 15 days before the public hearing.

(b) When any property in the area requiring notice has been converted to condominiums pursuant to the "Illinois Condominium Act" and contains more than 25 condominium units, the Zoning Board of Appeals is only be required to serve notice on the Condominium Association governing the property.

10. In the case of *special use* applications for *sanitary landfills, hazardous waste treatment or storage facilities, liquid solid waste handling facilities, resource recovery facilities, reprocessible construction/ demolition material facilities, incinerators or transfer stations*, the Zoning Board of Appeals must, at least 15 days before the hearing, send written notice of the hearing to the Alderman of the ward in which the facility is proposed to be located and to the Solid Waste Advisory Commission.

17-13-0107-B Published Notice. When the provisions of this Zoning Ordinance require that "Published Notice" be provided, such notice must be given as follows:

1. The City Clerk is responsible for submitting published notices for all matters requiring final approval by the City Council.

2. The Secretary of the Zoning Board of Appeals is responsible for submitting published notices for all matters requiring final approval by the Zoning Board of Appeals.

3. Required notices must be published at least once in a newspaper of general circulation within the city.

4. The notice must appear in the newspaper no more than 30 days and no fewer than 15 days before the hearing.

5. Published notice must include a description of the nature of the application and the address and legal description of the subject property.

17-13-0107-C Posted Notice. When the provisions of this Zoning Ordinance require that "Posted Notice" be provided, the applicant must post a notice *sign* on the subject property in accordance with the following requirements:

1. The notice *sign* must be installed within 5 days of application filing and remain in place until the date of the hearing.

2. Posted notice must be in the form of an official *sign* provided by the Office of the Zoning Administrator.

3. The *sign* must be posted in such a way as to be plainly visible from each roadway or right-of-way abutting the property.

4. The notice must include:

(a) the common *street* address of the subject property,

(b) a description of the nature, scope and purpose of the application or proposal;

(c) the name and address of the applicant;

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- (d) the date that the application was filed; and
- (e) a source for additional information on the application or proposal.

5. A non-refundable fee of \$25.00 must be submitted with the application to ensure placement, maintenance, and removal of the *sign* by the applicant, except when the applicant is the Mayor or a member of the City Council.

6. The applicant must furnish a written affidavit certifying compliance with all applicable posted notice requirements, along with a photograph depicting the sign, as posted.

(a) Affidavits must be furnished to the Chairman of the City Council Committee on Zoning for matters requiring final approval by the City Council or to the Chairman of Zoning Board of Appeals for matters requiring final approval by the Zoning Board of Appeals.

(b) No hearing will be scheduled or conducted until the applicant complies with all applicable notice requirements.

7. Whenever the applicant is either the Mayor or a member of the City Council, the Office of the Zoning Administrator will be responsible for posting notice.

8. All *signs* must be removed within 3 days after the public hearing date.

17-13-0108 Continuation of Public Hearings.

17-13-0108-A If the review or decision- making body responsible for conducting a public hearing under this Zoning Ordinance fails to take final action on an application under consideration at the hearing, the body may postpone, defer or otherwise continue the hearing on the application for a later date without providing additional notice pursuant to Sections 17-13-0107-A, 17-13-0107-B and 17-13-0107-C if the continued hearing is rescheduled and final action is taken on the application within 12 months from the date of the originally scheduled hearing on the application.

17-13-0108-B If final action on an application under consideration at a public hearing under this Zoning Ordinance is postponed, deferred or otherwise continued for more than 12 months from the date of the originally scheduled public hearing on the application, new notice of the hearing on the application shall be given, pursuant to the notice requirements of Sections 17-13-0107-A, 17-13-0107-B and 17-13-0107-C

17-13-0108-C The review and decision- making body responsible for conducting any public hearing continued under this section shall set the date of the hearing at a time deemed appropriate by the body to comply with the requirements of this code.

JOINT COMMITTEE.
COMMITTEE ON HOUSING AND REAL
AND
COMMITTEE ON ZONING.

Action Deferred -- AMENDMENT OF TITLES 2, 4 AND 17
OF MUNICIPAL CODE OF CHICAGO REGARDING
AFFORDABLE HOUSING REQUIREMENTS.

A Joint Committee, comprised of the members of the Committee on Housing and Real Estate and the members of the Committee on Zoning submitted the following report which was, on motion of Aldermen Flores, Preckwinkle, T. Thomas, Troutman, Muñoz, Ocasio, Burnett and Moore, *Deferred* and ordered published:

CHICAGO, May 9, 2007.

To the President and Members of the City Council:

Your Joint Committee on Housing and Real Estate and Committee on Zoning, to which was referred a substitute ordinance by the Department of Housing amending the Municipal Code and approving the Affordable Requirements Ordinance (A.R.O.), having the same under advisement, begs leave to report and recommend that Your Honorable Body pass the proposed substitute ordinance transmitted herewith.

This recommendation was concurred in by a vote of the members of the Committee present with three dissenting votes by Alderman Arenda Troutman (20th Ward), Alderman Ed H. Smith (28th Ward) and Alderman Billy Ocasio (26th Ward).

Respectfully submitted,

(Signed) RAY SUAREZ,
Committee on Housing
and Real Estate,
Chairman.

(Signed) WILLIAM J. P. BANKS,
Committee on Zoning,
Chairman.

The following is said proposed substitute ordinance transmitted with the foregoing committee report:

Be It Ordained by the City Council of the City of Chicago:

SECTION 1. Section 2-44-090 of the Municipal Code is hereby amended by adding the language underscored and by deleting the language struck through, as follows:

2-44-090 Affordable Housing Commitment.

(a) For purposes of this section:

"Affordable housing" means (1) with respect to rental housing, housing that is affordable to households earning up to 60 percent of the Chicago Primary Metropolitan Statistical Area median income and (2) with respect to owner occupied housing, housing that is affordable to households earning up to 100 percent of the Chicago Primary Metropolitan Statistical Area median income; provided that if a developer develops a lesser amount of affordable housing units pursuant to subsection (d)(2), "affordable housing" for those housing units means, with respect to owner occupied housing units, housing that is affordable to households earning up to 80 percent of the Chicago Primary Metropolitan Statistical Area median income.

"The Chicago Community Land Trust" or "CLT" means the Illinois not-for-profit corporation established by ordinance adopted on January 11, 2006, and published at pages 67997 through 68004 in the Journal of Proceedings of the City Council of such date, and having as its primary mission the preservation of long-term affordability of housing units.

"Commissioner" means the Commissioner of Housing.

"Condominium" means a form of property established pursuant to the Illinois Condominium Property Act.

"Developer" means any person who develops housing units, but does not include a lender or any governmental entity.

"Development" or "develop" means the construction or substantial rehabilitation of housing units or the conversion of any building into residential condominiums.

"Eligibility criteria" means (1) with respect to rental housing, at the time of the first rental by that household, a household earning up to 60 percent of the Chicago Primary Metropolitan Statistical Area median income and (2) with respect to owner occupied housing, at the time of the purchase of the unit, a household earning up to 100 percent of the Chicago Primary Metropolitan Statistical Area median income; provided that if a developer develops a lesser amount of owner occupied affordable housing units pursuant to section (d)(2),

the "eligibility criteria" for those affordable housing units means, with respect to owner occupied housing units, at the time of the purchase of the unit, housing that is affordable to households earning up to 80 percent of the Chicago Primary Metropolitan Statistical Area median income.

"Financial assistance" means any assistance provided by the city through grants, direct or indirect loans, or allocation of tax credits for the development of residential housing units.

"Housing unit" means a room or suite of rooms designed, occupied or intended for occupancy as a separate living quarter with cooking, sleeping and sanitary facilities provided within the unit for the exclusive use of the occupants of the unit; provided that a "housing unit" does not include dormitories or hotels as that term is defined in section 13-4-010 of the Code.

"Initial sale" means the first sale of an affordable housing unit by a developer.

"Planned development" has the same meaning as ascribed to that term in section 17-17-02120 of the Zoning Code.

"Residential housing project" or "project" means one or more buildings that collectively contain ten or more housing units on one or more tax parcels or lots marketed as a single or unified project or sharing common elements, or comprising a part of a planned development or the addition of ten or more housing units to an existing building.

"Substantial rehabilitation" means the reconstruction, enlargement, installation, repair, alteration, improvement or renovation of a building, structure or portion thereof requiring a permit issued by the city; provided the cost ~~for the project~~ of the substantial rehabilitation must be \$25,000.00 or more per housing unit.

"T.I.F. Guidelines" means those guidelines established pursuant to the Tax Increment Allocation Redevelopment Act, 65 ILCS 5/11-74.4-1, et seq. ("T.I.F. Act"), and adopted by the City Council in "An Ordinance Adopting Guidelines for Use of Tax Increment Financing Revenues for Construction of Affordable Housing" passed on July 31, 2002, and published at pages 90838 -- 90859 of the *Journal of the Proceedings of the City Council of the City of Chicago* of that date.

"Trust Fund" means the Chicago Low-Income Housing Trust Fund, a not-for-profit organization.

(b) (1) Subject to subsections (b)(2), (b)(3), (b)(4) and (d)(2), whenever ~~Whenever~~ the city: (i) approves the rezoning of a lot to permit a higher floor area ratio than would otherwise be permitted in the base district and the lot is subsequently

developed with a residential housing project; (ii) approves the rezoning of a lot from a zoning district that does not allow household living uses to a zoning district that allows household living uses and the lot is subsequently developed with a residential housing project; (iii) approves the rezoning of a lot from a zoning district that does not allow household living uses on the ground floor of a building to a zoning district that permits household living uses on the ground floor, and the ground floor is subsequently developed with a residential housing project; or (iv) sells real property to any developer on which for the purpose of the development of a residential housing project is subsequently developed ten or more housing units, and the sale price is less than the fair market value of property, the developer shall be required to establish at least ten percent of the housing units as affordable housing or the equivalent as provided in subsection (d); provided that the developer of any residential housing project subject to clauses (b)(1)(i), (ii) or (iii) and subject to subsection 17-4-1004-D of the Zoning Code may meet the affordable housing requirements provided in this section by complying with the affordable housing floor area bonus provided for in section 17-4-1004; provided however further, that if a developer also receives financial assistance, the developer instead shall comply with the requirements of subsection (c) of this section.

(2) In the case of existing buildings subject to the requirements of subsection (b)(1), subsection (b)(1) shall apply as follows:

(i) for an existing building that contains housing units at the time of the approval of the zoning change, only the additional floor area space that is developed with a residential housing project is subject to the affordable housing requirement;

(ii) for an existing building that contains a mixed use occupancy with one use being residential at the time of the approval of the zoning change, only the additional floor area space approved for residential use that is developed with a residential housing project is subject to the affordable housing requirement; or

(iii) for an existing building with respect to which the developer receives financial assistance pursuant to subsection (c) or has purchased city land pursuant to clause (b)(1)(iv), the entire building is subject to the affordable housing requirement.

(3) The provisions of subsection (b)(1) shall not apply to: (i) any residential housing project located on property that was rezoned and thereby converted to a nonconforming use, if the City Council approves a change in zoning solely for the purpose of restoring the residential housing project to a conforming use; or (ii) the development of a residential housing project on a lot that has been rezoned as

described in clauses (b)(1)(i), (ii) or (iii) for which a building permit is applied for 3 years or more after the date of the approval of the zoning change by the City Council.

(4) Subject to subsection (d)(2), for every planned development, the development of affordable housing shall be as follows:

(i) For every planned development that does not meet the eligibility requirements of subsection 17-4-1004-B of the Zoning Code and for which the city approves the rezoning of a lot as described in clauses (b)(1)(i), (ii) or (iii) or sells real estate to the developer, and in which a residential housing project is developed, the developer shall be required to establish ten percent of the housing units as affordable housing or the equivalent as provided in subsection (d).

(ii) For every planned development that meets the eligibility criteria of subsection 17-4-1004-B of the Zoning Code and for which the city approves the rezoning of a lot as described in clauses (b)(1)(i), (ii) or (iii) or sells real estate to the developer, and in which a residential housing project is developed, the developer shall be required to establish ten percent as affordable housing or the equivalent as provided in subsection (d): provided that if the planned development is also subject to the requirements of section 17-4-1004-D, the developer may elect to meet his or her affordable housing requirements provided for in this section by complying with the affordable housing floor area bonus provided for in section 17-4-1004.

(iii) For every planned development that meets the eligibility criteria of subsection 17-4-1004-B which does not involve any rezoning of the lot as described in clauses (b)(1)(i), (ii) or (iii), or the sale of any real estate by the city, and in which a residential housing project is developed, the developer shall be required to establish ten percent of the housing units as affordable housing or the equivalent as provided in subsection (d), unless the developer participates in the affordable housing floor area density program by purchasing additional floor area pursuant to section 17-4-1004.

(iv) For every planned development for which the developer receives financial assistance and in which a residential housing project is developed, the developer shall comply with the requirements of subsection (c) of this section.

(v) The provisions of this subsection (b)(4) shall not apply to any planned development for which:

(A) a planned development agreement or other agreement was specifically authorized by the City Council prior to the effective date of this 2007 amendatory ordinance; or

(B) an amendment to a planned development agreement or other agreement is specifically authorized by the City Council after the effective date of this 2007 amendatory ordinance; provided however, that if such amendment authorizes the addition of floor area for the development of ten or more housing units, the development of the additional housing units shall be subject to the affordable housing requirement of this subsection.

(c) Subject to subsection (d)(2), whenever ~~Whenever~~ financial assistance is provided to any developer in connection with the development of a residential housing project ~~ten or more housing units~~, the developer shall be required to establish ~~at least~~ 20 percent of the housing units as affordable housing or the equivalent as provided in subsection (d).

(d) (1) A developer subject to the provisions of subsections (b) or (c), who receives financial assistance, or acquires city property for less than fair market value may establish affordable housing by one or more of the following: (1 i) the development of affordable housing units as part of the development residential housing project; (2 ii) payment of a fee in lieu of the development of affordable housing units; or (3 iii) any combination thereof. The amount of the fees described in clause (2) (d)(1)(ii) shall be \$100,000.00 for each affordable housing unit not developed as part of the development residential housing project, adjusted annually based upon the United States Department of Labor, Bureau of Labor Statistics Consumer Price Index for all Urban Consumers for the Chicago metropolitan area, or some other comparable index selected by the commissioner in his reasonable discretion if this index no longer exists. Such fees shall be deposited into the Affordable Housing Opportunity Fund, unless required to be deposited into another fund pursuant to federal or state law.

(2) The number of affordable housing units developed in a residential housing project may be less than ten percent as required by subsection (b) or less than twenty percent as required by subsection (c), if the developer develops on-site owner occupied affordable housing units at a price that is affordable to households earning up to eighty percent of the Chicago Primary Metropolitan Statistical Area median income, and the commissioner determines that the development of the lesser amount of such housing units is substantially equivalent to the developer's total affordable housing requirement pursuant to this section. The development of a housing unit pursuant to this clause shall be subject to all of the other provisions of this section.

(e) A separate fund is hereby established designated the Affordable Housing Opportunity Fund which shall be supported by the fees collected under this section. The revenues of the Affordable Housing Opportunity Fund shall be disbursed as follows:

(1) sixty percent of the annual revenues deposited into the fund shall be used for the construction or rehabilitation of affordable housing; and subject to appropriation by the city council; and

(2) forty percent of the annual revenues deposited into the fund shall be contributed to the Trust Fund of which one-half of the forty 20 percent shall be restricted solely for the purpose of deposit into the Trust Fund s corpus, and the remaining one-half of the forty 20 percent shall be used for the Trust Fund s Affordable Rents for Chicago program, or similar successor program.

(f) The affordable housing units required by this ordinance shall continue to be affordable housing for a period of 30 years after the time of the issuance of the certificate of occupancy (or after the first day of the initial lease if no such certificate is issued) in the case of rental housing or after the closing of the initial sale in the case of owner-occupied housing, unless:

(1) The property is foreclosed upon or condemned, or a deed in lieu of foreclosure is given; or

(2) The seller of an affordable housing unit has sold the unit to a household that does not meet the eligibility criteria and has paid the recapture fees required by subsection (i) of this section; or

(3) The affordable housing unit is placed in or administered by the CLT, in which case the requirements of subsection (j) of this section shall apply.

(g) Except as provided in ~~subsection~~ subsections (i) and (j) of this section, the rental or sale of an individual affordable housing unit required under this section shall be made only to a household meeting the eligibility criteria.

(h) With respect to ~~developments~~ the development of residential housing projects and planned developments assisted by the city with tax increment revenues ("T.I.F. Funds") in redevelopment project areas established pursuant to the T.I.F. Act, to the extent that the requirements of ~~subsections (b), (c), (d) and (f)~~ of this section conflict with the T.I.F. Guidelines, the T.I.F. Guidelines shall prevail.

To the extent that redevelopment plans approved pursuant to the T.I.F. Act provide that developers who receive T.I.F. Funds for market rate housing set aside 20 percent of the units to meet "affordability criteria established by the

Department of Housing", the requirements of ~~subsections (b), (c), (d) and (f)~~ of this section shall be deemed to be the "affordability criteria established by the Department of Housing" and shall supersede all others.

(i) Prior to the issuance of a building permit, for any planned development or residential housing project subject to the affordable housing requirements of this section:

(1) the developer shall pay an amount equal to the required fee in lieu pursuant to subsection (d)(1)(ii); or

(2) The commissioner shall ~~cause record~~ a lien, regulatory agreement or similar instrument to be recorded, initially, prior to development, against the land comprising the planned development or residential housing project, and subsequently, in connection with the sale or rental of any affordable housing unit, against the land on which such ~~with respect to each~~ affordable housing unit is located to secure the requirements of this section and the recapture of the following amounts:

(1 i) Upon the initial sale of any housing unit required to be affordable housing under this section at a price that renders the housing unit not affordable housing, or to a household that does not meet the eligibility criteria, the developer shall pay an amount equal to the payment of fees in lieu of creating the affordable housing unit as provided in subsection (d)(2 1)(ii) of this section;

(2 ii) Upon the resale or transfer of any housing unit required to be affordable under this section at a price that renders the housing unit not affordable housing, or to a household that does not meet the eligibility criteria, the seller or transferor shall pay an amount equal to the difference, at the time of the initial sale, between the affordable housing unit's market value and its affordable housing price plus three percent per year interest from the date of the initial sale on that difference, unless the affordable housing unit is placed in or administered by the CLT, in which case the requirements of subsection (j) of this section shall apply;

(3 iii) Upon the rental of any housing unit required to be affordable under this section at a rental price that renders the housing unit not affordable housing, or to a household that does not meet the eligibility criteria, the owner shall pay a fee of \$500.00 per unit per day for each day that the owner is in noncompliance; provided that prior to the assessment of the penalty, the owner shall have 90 days, after written notice from the commissioner, to cure the noncompliance. If after 90 days the owner fails to cure the noncompliance,

the fees shall be assessed from the first day of noncompliance. The 90-day

time period to cure the noncompliance may be extended by the commissioner for good cause;

(iv) Any fines or penalties imposed by the city for a violation of this section.

The fees collected under this subsection shall be deposited into the Affordable Housing Opportunity Fund, unless required to be deposited into another fund pursuant to federal or state law.

(j) Subject to prior notification to the alderman of the affected ward and approval of the commissioner, affordable housing units required to be provided pursuant to this section may be placed in or administered by the CLT. The initial rental or sale of such affordable housing units shall be subject to the income eligibility and price restrictions set forth in this section, but the resale or transfer of such affordable housing units, and the amounts subject to recapture in connection with a violation of the CLT's resale and transfer restrictions, shall be governed by the terms of a restrictive covenant, long-term ground lease, or similar instrument, designed to balance the competing goals of long-term affordability and providing a fair return on the homeowner's investment.

(k) Failure to pay the required fee in lieu or develop the on-site affordable housing units required by this section shall be a violation of this section punishable by a fine in an amount equal to two times the payment of fees in lieu required in subsection (d)(1)(ii) of this section and, in the case of a residential real estate developer licensed pursuant to chapter 4-40, the revocation of the developer's residential real estate developer license.

(l) The commissioner is authorized to adopt such rules and regulations as the commissioner may deem necessary for the proper administration and enforcement of this section.

SECTION 2. Chapter 4-40 of the Municipal Code is hereby amended by adding the language underscored and by deleting the language struck through, as follows:

4-40-065 Duties.

A licensee or any person requiring a license under this chapter shall have the following duties:

(Omitted text is unaffected by this ordinance.)

(D) To comply with the requirements of section 2-44-090, if applicable.

4-40-070 License -- Revocation.

Three or more violations of this chapter on three different days within a 12-month period may result in license revocation in accordance with section 4-4-280 of this Code; provided that a license may be revoked for a single violation of subsection 4-40-065(D).

SECTION 3. Title 17 of the Municipal Code of Chicago is hereby amended by adding new sections 17-4-1004-F, 17-13-302-D and 17-13-0613, by adding the language underscored, and by deleting the language struck through, as follows:

17-4-1004-D Rezoning To Higher (F.A.R.) District.

Property ~~that is rezoned to~~ in a DC, DX or DR district that is rezoned to a zoning classification that allows a higher base floor area ratio and is subsequently developed with additional residential dwelling units must provide on-site affordable housing units or make cash contributions to the city's Affordable Housing Opportunity Fund in accordance with the standards of this subsection; provided that the developer of every residential housing project, as that term is defined in section 2-44-090, and every planned development subject to the provisions of this subsection and section 2-44-090 may elect to comply with the affordable housing requirement provisions of section 2-44-090 instead.

17-4-1004-E Standards.

Buildings that meet the eligibility criteria of section 17-4-1004-B and that provide affordable housing or contribute to the city's Affordable Housing Opportunity Fund are eligible for floor area bonuses provided they comply with the following standards. These standards also apply to projects that are subject to 17-4-1004-D.

1. Projects that receive city financial assistance to provide affordable housing are ~~not~~ eligible for affordable housing floor area bonuses; provided that any payment of fees in lieu or the creation of on-site affordable housing units required as a condition of the financial assistance shall not count as payment of fees in lieu or the creation of on-site affordable housing units for purposes of the affordable housing floor area bonus.

2. Relationship to Mandatory Affordable Housing Standards. Projects that are required to provide affordable housing by other city ordinances are ~~not~~ eligible for affordable housing floor area bonuses; provided that any payment of fees in lieu or the creation of on-site affordable housing units required by such city ordinance shall not count as payment of fees in lieu or the creation of on-site affordable housing units for purposes of the affordable housing floor area bonus unless the project is a residential housing project or planned development subject to the provisions of section 2-44-090 that is meeting its affordable housing requirement pursuant to that section.

(Omitted text is unaffected by this ordinance.)

5. Term. The minimum guaranteed term for continued affordability of affordable housing units must be no less than 30 years, unless the affordable housing units are placed in or administered by the CLT, as that term is defined in section 2-44-090. The initial rental or sale of such affordable housing units place in or administered by the CLT shall be subject to the income eligibility and price restrictions set forth in this section, but the resale or transfer of such affordable housing units shall be governed by the terms of a restrictive covenant, long-term ground lease, or similar instrument, designed to balance the competing goals of long-term affordability and providing a fair return on the homeowner's investment.

6. Timing Of Cash Payments And Financial Guarantees. Property owners that are subject to the affordable housing standards of this section must pay the required cash contribution or provide a performance bond or other security ensuring construction of the affordable housing units before the issuance of building permits for the construction of the subject buildings. Such bond or security must be:

(a) in an amount equal to the cash contribution required under 17-4-1004-C2 or section 17-4-1004-D2 ,whichever is applicable; and

(b) released after the commissioner of housing has certified that the on-site affordable housing units have been created ~~when the premises have been inspected and the Zoning Administrator has certified that the affordable housing units have been constructed.~~

(Omitted text is unaffected by this ordinance.)

17-4-1004-F Affordable Housing Requirement.

The developer of every planned development and every residential housing project, as that term is defined in section 2-44-090, subject to the provisions of section 2-44-090 shall comply with the requirements of section 2-44-090, if applicable, unless the developer elects to comply with the affordable housing requirement provisions of section 17-4-1004 instead.

17-13-302-D Affordable Housing Requirement.

Property that is rezoned to a zoning classification that allows a higher base floor area ratio and is subsequently developed with a residential housing project, as that term is defined in section 2-44-090, shall comply with the affordable housing requirements of section 2-44-090, if applicable; provided that the developer of every residential housing project subject to the provisions of section 2-44-090 and subsection 17-4-1004-D may elect to comply with the affordable housing requirement provisions of section 17-1004 instead.

17-13-0613 Affordable Housing Requirement.

Every planned development in which a residential housing project will be developed, as those terms are defined in section 2-44-090, shall comply with the affordable housing provisions of section 2-44-090, if applicable; provided that the developer of every planned development subject to the provisions of section 2-44-090 in which a residential housing project will be developed may elect to comply with the affordable housing requirement provisions of section 17-1004 instead.

SECTION 4. Severability. If any provision of this ordinance is held invalid, such provision shall be deemed excised from this ordinance and the invalidity thereof shall not affect any of the other provisions of this ordinance. If the application of any provision of this ordinance to any person or circumstance is held invalid, it shall not affect the application of such provision to other persons or circumstances.

SECTION 5. This ordinance shall be in force and effect ninety (90) days after its passage and publication but shall not apply to: (1) any residential housing project developed on land acquired by the developer within two (2) years prior to the passage of this ordinance; or (2) any application for zoning change or a planned development that was filed with the Zoning Administrator prior to the effective date of this ordinance.

Pursuant to Section 2-45-115 of the Municipal Code, as of October 13, 2015, all **Residential** projects that receive a zoning change which:

- ☐ permits a higher floor area ratio (FAR), including through transit-served location floor area premiums where the underlying base district does not change; or
- ☐ permits a higher floor area ratio or to increase the overall number of housing units than would otherwise be permitted in an existing planned development, even if the underlying base district for the PD does not change; or
- ☐ allows household living uses where they were previously not allowed; or
- ☐ allows household living uses on the ground floor, where they were previously not allowed; or
- ☐ creates a downtown planned development

and in which 10 or more residential units are developed are subject to the Affordable Requirements Ordinance (ARO).

Projects that meet the above criteria are required to set aside a percentage of the units as affordable and/or pay a fee-in-lieu of providing affordable units.

Applicants should complete an Affordable Housing Profile at www.cityofchicago.org/ARO.

For ARO-subject projects, no building permits will be issued until the affordable obligation is met.

If your project does not meet one or more of the above criteria, no further action is necessary.

More information is online at www.cityofchicago.org/ARO. Questions may be addressed to Kara Breems at kara.breems@cityofchicago.org.

Affordable Housing Profile (For Sale)

Submit this form to the Department of Planning & Development for each project that triggers an affordability requirement (including CPAN, ARO, and the Density Bonus).

This completed form should be returned (via e-mail, fax, postal service or interoffice mail), to: Kara Breems, Department of Planning & Development, 121 N. LaSalle Street, Chicago, IL 60602. E-mail: kara.breems@cityofchicago.org Telephone: (312) 744-6746

For information on these programs/requirements, visit www.cityofchicago.org/dpd

Date: _____

SECTION 1: DEVELOPMENT INFORMATION

Development Name:

Development Address:

Ward:

If you are working with a Planner at the City, what is his/her name?

Type of City involvement: _____ Land write-down

(check all that apply) _____ Financial Assistance (If receiving TIF assistance, will TIF funds be used for housing construction? ____*)

_____ Zoning increase, PD, or City Land purchase

*if yes, please provide copy of the TIF Eligible Expenses

SECTION 2: DEVELOPER INFORMATION

Developer Name:

Contact Person:

Address:

Email address: _____ May we use email to contact you? Yes No

Telephone Number:

SECTION 3: DEVELOPMENT INFORMATION – All projects (even paying fee-in-lieu) must complete How many affordable units are required?

If this is an ARO project:

_____ x 10%* = _____ (note that we **always** round up)
Total units total affordable units required

*20% if TIF assistance is provided

If this is a Density Bonus project:

_____ X 25% = _____
Bonus Square Footage* Amount of affordable square footage required

*Note that the maximum allowed bonus is 20% of base FAR in dash-5; 25% in dash-7 or -10; and 30% of base FAR in dash-12 or -16 (www.cityofchicago.org/hed for zoning info).

Is parking included in the price of: market rate unit? _____ Yes

affordable unit _____ Yes

Is parking optional? _____ Yes _____ No

If parking is not included in the unit price, what is the price to purchase parking?

Estimated date for the commencement of marketing:

Estimated date for completion of construction of the affordable units:

Building Type: (condo, townhouse, etc): _____

For each unit configuration, fill out a separate row, as applicable (see example)

| Unit Configuration | Square feet/ Unit | Number of affordable Units Proposed | Number of Market-rate units proposed | Total # | Project -ed Assess -ments | Proposed Affordable Price | Proposed Level of Affordability (80, 90, or 100% AMI) | Expected Market Price* | Land Trust? (admin use only) |
|-----------------------|-------------------|-------------------------------------|--------------------------------------|---------|---------------------------|---------------------------|---|------------------------|------------------------------|
| Ex: 1-bdrm; 2 bath | 800 | 2 | 6 | 8 | 160 | \$135,000 | 100% AMI | \$220,000 | |
| | | | | | | Tbd by DPD staff | | | |
| | | | | | | Tbd by DPD staff | | | |
| | | | | | | Tbd by DPD staff | | | |
| | | | | | | Tbd by DPD staff | | | |
| Building Total | | | | | N/A | N/A | N/A | N/A | |

*You must include an appraisal or CMA justifying projected market price for each unit type.

SECTION 4: PAYMENT IN LIEU OF UNITS

When do you expect to make the payment -in-lieu? _____
(typically corresponds with payment/issuance of building permits) Month/Year

For **ARO** projects, use the following formula to calculate payment owed:

$$\frac{\text{Number of total units in development}}{\text{Number of total units in development}} \times 10\% = \frac{\text{Number of total units in development}}{\text{Number of total units in development}} \times \$100,000 = \$ \text{Amount owed}$$

(round **up** to nearest whole number)

For **Density Bonus** projects, use the following formula to calculate payment owed:

$$\text{Bonus Floor Area (sq ft)} \times 80\% \times \$ \text{median price per base FAR foot (from table below)} = \$ \text{Amount owed}$$

| Submarket (Table for use with the Density Bonus fees-in-lieu calculations) | Median Land Price per Base FAR Foot |
|--|-------------------------------------|
| Loop: Chicago River on north/west; Congress on south; Lake Shore Dr on east | \$31 |
| North: Division on north; Chicago River on south/west; Lake Shore Dr. on east | \$43 |
| South: Congress on north; Stevenson on south; Chicago River on west; Lake Shore Dr. on east | \$22 |
| West: Lake on north; Congress on south; Chicago River on east; Racine on west | \$29 |

Authorization to Proceed (to be completed by Department of DPD)

Kara Breems
Department of Planning & Development

date

Developer or Project Representative

date